BARODA ACT No. XVII OF 1949.

[THE MAHARAJA SAYAJIRAO UNIVERSITY OF BARODA ACT, 1949.]

[*30th April 1949*]

Amended by the Baroda State (Application of Laws) Order, 1949.

Adapted and modified by the Adaptation of Laws Order, 1950.

Amended by Bom. 52 of 1950.

" " " 8 of 1951.

" " " 9 of 1951.

An Act to establish and incorporate a teaching and residential University at Baroda known as the Maharaja Sayajirao University of Baroda.

WHEREAS it is expedient to establish and incorporate a teaching and residential University at Baroda having also powers of affiliation for that purpose, the Government of Baroda is pleased to enact as follows :— Preamble.

CHAPTER I.

PRELIMINARY.

1. (*a*) This Act may be called " The Maharaja Sayajirao University of Baroda Act, 1949 ". Title.

(*b*) This section shall come into force at once.

(*c*) The Government may, by notification in the *Official Gazette*, direct that all or any of the remaining provisions[1] of this Act shall come into force on such date or dates as may be specified in the notification.

2. In this Act, unless there is anything repugnant in the subject or context,— Definitions.

(*a*) ' Act ' means the Maharaja Sayajirao University of Baroda Act, 1949 ;

(*b*) ' affiliated college ' means a college affiliated under sections 5 and 36 ;

(*c*) ' constituent college ' means a University college or an affiliated college made constituent under section 42 ;

(*d*) ' Fellow ' means a member of the Senate, whether *ex-officio*, nominated or elected under the provisions of this Act, but does not include an Honorary Fellow ;

(*e*) ' Government ' means [2][the Government of Bombay] ;

(*f*) ' hostel ' means a unit of residence for students maintained or recognised by the University under this Act ;

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[1] Sections 2 to 4 and 6 to 71 were brought into force from 30th April 1949 and section 5 was brought into force from 1st April 1950 (*vide* Baroda Government L. R. O., Notification No. 41/1949, dated the 30th April 1949 and G. N., P. & S. D., No. 9003, dated the 15th March 1950).

[2] These words were substituted for the words " the Government of Baroda or any other authority that takes its place " by the Baroda State (Application of Laws) Order, 1949, clause 10.

(*g*) 'Head of department' means a professor or teacher principally responsible for instruction, training or research in a subject, or group of subjects, which is called [1][a University department];

[2][(*ga*) 'intermediate college' means a constituent or affiliated college other than a degree college;

(*gb*) 'prescribed' means prescribed by Statutes or Ordinances;]

(*h*) 'Principal' means the Head of a college by whatever name or style described;

(*i*) 'recognised institution' means any institution for instruction, training or research in specialised studies other than constituent or affiliated college, and recognised as such by the University;

(*j*) 'registered graduate' means a graduate registered under the provisions of this Act;

[3][(*ja*) 'secondary school' means a high school which has been recognised as a full fledged high school by the Director of Public Instruction, Bombay State, or by an officer authorised by him in this behalf;

(*jb*) 'secondary teachers' means such class of teachers imparting instruction in secondary schools as may be declared to be secondary teachers by the Statutes;]

(*k*) 'Statutes' and 'Ordinances' mean, respectively, the Statutes and Ordinances made under this Act and for the time being in force;

[4][(*l*) 'teacher' means a professor, a reader, a lecturer, imparting instruction or giving training or guidance in research in the University, a University college, an affiliated college or a recognised institution, or any other person declared or recognised to be a teacher by the Statutes;]

(*m*) 'teachers of the University' means teachers appointed or recognised by the University for imparting instruction on its behalf;

(*n*) 'University' means the Maharaja Sayajirao University of Baroda;

(*o*) 'University Area' means the area specified in Schedule I;

(*p*) 'University college' means a college transferred to the University under section 69, or a college which the University may hereafter establish or maintain under this Act; or a college which the University may take over and maintain under this Act;

(*q*) 'University Department' means any department [5][for studies or research] maintained by the University [6]* * * * *

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[1] These words were substituted for the words "a department in a College" by Bom. 52 of 1950, s. 2 (*a*).

[2] These clauses were inserted, *ibid.*, s. 2 (*b*).

[3] These clauses were inserted, *ibid*, s. 2 (*c*).

[4] This clause was substituted for the original, *ibid*, s. 2 (*d*).

[5] These words were inserted, *ibid*, s. 2 (*e*).

[6] The words and figures beginning with "and includes" and ending with "for research" were deleted, *ibid.*

CHAPTER II.

THE UNIVERSITY.

Incorporation of the University.

3. (*1*) The Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, if any, the Rector, if any, the first Fellows of the Senate and the first members of the Syndicate of the University, and all persons who may hereafter become such officers, or Fellows, or members, so long as they continue to hold such office or fellowship or membership, are hereby constituted a body corporate by the name of the "The Maharaja Sayajirao University of Baroda".

(*2*) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(*3*) The University shall be competent to acquire and hold property, both moveable and immovable, to lease, sell, mortgage or otherwise transfer any moveable or immovable property belonging to, vested in, or acquired by the University, for any purpose of the University, and to contract, and do all other things for the purposes of this Act.

Powers of the University.

4. Subject to such conditions as may be prescribed by or under the provisions of this Act, the University shall have the following powers, namely :—

(*1*) to provide for instruction, teaching and training in such branches of learning and courses of study as the University may, from time to time, think fit or prescribe, and to make provision for research and for the advancement and dissemination of knowledge ;

(*2*) to make special provision for the spread of university education among classes and communities which are educationally backward ;

(*3*) to organize, control and co-ordinate the programme of teaching and research and other activities of the University, whether carried on in constituent colleges or in University Departments or in recognised institutions and to organize common laboratories, libraries, museums and other equipment for teaching and research ;

(*4*) to establish, maintain and manage [1][colleges, departments or practising schools and institutions attached to colleges, departments or schools for the purpose of practical work, experiment, research or preparatory instruction] ;

(*5*) to grant such diplomas to, and to provide such lectures, instruction and training for persons not being enrolled students of the University as the University may determine by the Statutes and Ordinances ;

(*6*) to institute professorships, readerships, lecturerships and any other posts required by the University and to appoint or recognize suitable and qualified persons for such posts ;

(*7*) to [2][institute and confer] degrees, [3]*, [4][diplomas, certificates and] other academic distinctions on persons who have carried out a prescribed course of study, research or training, unless exempted therefrom in the manner prescribed by the Statutes and Ordinances, and have passed such tests or examinations as may have been prescribed ;

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[1] These words were substituted for the words "colleges and departments" by Bom. 52 of 1950, s. 3 (*a*).

[2] These words were substituted for the word "institute", *ibid*, s. 3 (*b*).

[3] The word "title" was deleted, *ibid*.

[4] These words were substituted for the words "diplomas and", *ibid*.

(*8*) to confer [1][honorary degrees] and other academic distinctions on persons who may have distinguished themselves, in any branch of learning, or by eminent public service [2][, in the manner laid down by the Statutes];

(*9*) to withdraw or cancel degrees, diplomas, certificates or other distinctions from persons on whom the University may have conferred such degrees, diplomas, certificates or other distinctions, in accordance with such procedure as may be prescribed by the Statutes;

[3][(*10*) to hold either examinations or tests or both as prescribed by the Ordinances;

(*11*) to affiliate or recognise educational institutions;]

(*12*) to inspect colleges and recognized institutions and to take measures to ensure that proper standards of instruction, [4][training or research] are maintained in them;

(*13*) to hold, accept and manage trusts and endowments, and to utilise the proceeds or income thereof in such manner as may have been provided in a deed of trust or donation, or regulated by Statute, or defined by agreement by the University;

(*14*) to control and co-ordinate the activities of, and give financial aid to affiliated colleges and recognised institutions;

(*15*) to institute and award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(*16*) to control the conduct and discipline of students of the University, to provide for and to supervise and control their residence, and to make arrangements for promoting their moral and physical welfare;

(*17*) to establish, maintain and manage hostels;

(*18*) to recognize hostels, not maintained by the University, to inspect such hostels and to withdraw recognition therefrom;

(*19*) to make provisions for the maintenance of—

(*a*) University Battalions in the National Cadet Corps or similar training corps,

(*b*) University Sports and Athletic Clubs,

(*c*) Students' Unions,

(*d*) Students' Advisory Bureau for studies abroad,

(*e*) Employment Bureau,

(*f*) Publication Board, and

(*g*) any other organisation relating to and promoting the general welfare and cultural advancement of students, past or present, of the University;

(*20*) to organise and promote games and sports of all kinds;

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[1] These words were substituted for the words beginning with "according to" and ending with "titles" by Bom. 52 of 1950, s. 3 (*c*).

[2] These words were added, *ibid.*

[3] These clauses were substituted for the original, *ibid.* s. 3 (*d*).

[4] These words were substituted for the words "teaching or training", *ibid*, s. 3 (*e*).

(*21*) to co-operate with other universities, bodies, authorities, or associations, in or outside the University Area, which may have been formed for the advancement of learning, science or research, or for the dissemination of knowledge, or for the physical and moral welfare of students, in such manner and for such purpose as the University may determine ;

(*22*) to fix, to demand and to receive such fees and other charges as may be prescribed by the Ordinances ;

(*23*) to make special provision for disseminating knowledge and promoting arts and culture in rural areas ;

(*24*) to organise extra-mural studies ;

(*25*) to do all such acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University and generally to cultivate and promote arts, science, learning, and culture.

Jurisdiction and admission to privileges.

5. (*1*) No educational institution situate within the University Area shall, save with the consent of the University and the sanction of Government, be associated in any way with, or seek admission to any privileges of, any other university established by law.

(*2*) Any such privileges enjoyed from such other university, before the date on which this section comes into force by any educational institution situate within the University Area, shall be deemed to be withdrawn with effect from such date.

(*3*) With effect from such date all educational institutions admitted to the privileges of the University of Bombay and situate within the University area shall be deemed to be admitted to the privileges of the University, and the University shall, as far as may be possible and consistent with this Act, admit such institutions to all such privileges as they had from the University of Bombay immediately before such date.

University open to all irrespective of sex, religion, class, creed or opinion.

6. (*1*) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma, [1]* or other academic distinction or course of study [2][in the University, affiliated colleges or recognised institutions] on the sole ground of sex, race, creed, class, religious belief or political or other opinion :

Provided that the University may, subject to the previous sanction of the Government, maintain, affiliate or recognize any institution exclusively for women or reserve for women places for the purposes of admission as students in any institution maintained by the University.

(*2*) It shall not be lawful for the University to impose on any person any [3][restriction on the ground of] sex, race, creed, class, religious belief or profession of political or other opinion, in order to entitle him to be admitted as a teacher or a student, or to hold any office or post in the University, or to qualify for any degree, diploma, [4]* or other academic distinction, or to enjoy or exercise any privileges of the University, or any benefaction thereof.

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[1] The word "title" was deleted by Bom. 52 of 1950, s. 4 (*i*).

[2] These words were inserted, *ibid.*

[3] These words were substituted for the words "test whatsoever relating to", *ibid*, s. 4 (*ii*) (*a*).

[4] The word "title" was deleted, *ibid*, s. 4 (*ii*) (*b*).

Inspection and inquiry.

7. (*1*) The Chancellor shall have the right to cause an inspection to be made by such person or persons, as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment, of any institution, college or hostel, maintained, recognised by or affiliated to, the University, of the teaching and other work conducted by the University, and of the conduct of examinations held by the University; and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented thereat.

(*2*) The Chancellor shall communicate to the [1][University along with his view thereon] the results of such inspection or inquiry, and shall, after ascertaining the opinion of the Senate and the Syndicate thereon advise the University on the action to be taken.

(*3*) The [2][University] shall report to the Chancellor such action, if any, as it has taken or may propose to take upon the results of the inspection or inquiry. Such report shall be submitted with the opinion of the [3][University] thereon and within such time as the Chancellor may direct.

(*4*) Where the [2][University] does not within a reasonable time take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the [2][University], issue such directions as he may think fit and the [2][University] shall comply with such directions.

(*5*) The Government may, whenever it deems fit, cause a like inspection or inquiry to be made in the manner described in sub-sections (*1*) to (*3*) and shall have, for the purposes of such inspection or inquiry, all the powers of the Chancellor under the said sub-sections.

CHAPTER III.

OFFICERS [4][AND AUTHORITIES] OF THE UNIVERSITY.

Officers of the University.

8. The following shall be the officers of the University, namely :—

(*i*) The Chancellor,

(*ii*) The Vice-Chancellor,

(*iii*) The Pro-Vice-Chancellor, if any,

(*iv*) The Rector, if any,

(*v*) The Deans of Faculties,

[5] * * * *

[6] (*vi*) The Registrar, the Librarian, and the Curator, and

[6] (*vii*) such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

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[1] These words were substituted for the words "Senate and to the Syndicate his view with reference to" by Bom. 52 of 1950, s. 5 (*i*).
[2] This word was substituted for the word "Syndicate", *ibid*, s. 5.
[3] This word was substituted for the word "Senate", *ibid*.
[4] These words were inserted, *ibid*, s. 6.
[5] The brackets, figures and words "(*vi*) The Teachers of the University" were deleted, *ibid*, s. 7.
[6] The original clauses (*vii*) and (*viii*) were renumbered as clauses (*vi*) and (*vii*), *ibid*.

Chancellor.

9. (*1*) Until otherwise determined by the Statutes His Highness the Maharaja of Baroda shall be the Chancellor of the University.

(*2*) The Chancellor shall, by virtue of his office, be the Head of University, and shall, when present, preside at any convocation of the University.

(*3*) The Chancellor shall have such powers and duties as may be conferred upon him by this Act or the Statutes.

Vice-Chancellor.

10. (*1*) Subject to the confirmation of the [1][Government], the Vice-Chancellor shall be elected by the Senate from a panel of three persons recommended by the Syndicate.

(*2*) The Vice-Chancellor [2]* * * * * shall hold office for a term of three years. Subject to the provision of sub-section (*1*), he may be re-elected to that office for a further period of three years only.

[3][(*2A*) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, and none of the offices of the Pro-Vice-Chancellor and the Rector has been filled up, the Syndicate shall, as soon as possible, subject to the approval of Government, make such arrangements for carrying out the duties of the office of the Vice-Chancellor as it thinks fit. Until such arrangements are made, the Dean nominated by the Syndicate for that purpose shall carry on the current duties of the office of the Vice-Chancellor.]

(*3*) The emoluments to be paid to the Vice-Chancellor, and the terms and conditions subject to which he shall hold office, shall be such as may be prescribed by the Statutes : provided that such emoluments, or such terms and conditions, shall not, during the currency of the term of any holder of that office, be varied to his disadvantage without his consent.

Powers of the Vice-Chancellor.

11. (*1*) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall preside, at all the meetings of the Senate, and, in the absence of the Chancellor, at any convocation of the University.

(*2*) The Vice-Chancellor shall be an *ex-officio* member and chairman of the Syndicate and of the Council of Post-graduate Studies and Research.

(*3*) The Vice-Chancellor shall have power to convene meetings of the Senate, the [4][Syndicate,] the Council of Post-graduate Studies and Research, [5][other authorities of the University and committees appointed under sections 48 and 49].

(*4*) It shall be the duty of the Vice-Chancellor to ensure that this Act, the Statutes and Ordinances are faithfully observed and he shall be responsible [6][for the proper administration] of the University in accordance therewith, and he shall have all powers necessary for these purposes.

(*5*) (*a*) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall take such action as he deems necessary, and shall at the earliest opportunity thereafter report his action to such officer, authority or body as would have in the ordinary course dealt with the matter.

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[1] This word was substituted for the word " Chancellor " by Bom. 52 of 1950, s. 8 (*i*).

[2] The words " shall be a full-time Officer, and " were deleted, *ibid*, s. 8 (*ii*).

[3] This sub-section was inserted, *ibid*, s. 8 (*iii*).

[4] This word was substituted for the words " Syndicate, and ", *ibid*, s. 9 (*i*).

[5] These words and figures were added, *ibid*.

[6] These words were substituted for the words " for the discipline ", *ibid*, s. 9 (*ii*).

(*b*) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University, such person shall be entitled to prefer an appeal through the said officer, authority or body to the Syndicate, within fifteen days from the date on which such action is communicated to him.

(*6*) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and Ordinances.

Filling office of Pro-Vice-Chancellor or Rector.

[1][**11A.** The Senate may decide to fill the office of either the Pro-Vice-Chancellor or the Rector, or to keep either or both the offices vacant.]

Pro-Vice-Chancellor.

12. (*1*) [2][If] the Senate decides to fill the office of the Pro-Vice-Chancellor, [3][the Pro-Vice-Chancellor shall] be elected by the Senate from a panel of three persons recommended by the Syndicate, and shall hold office for a term of three years. [4][The Pro-Vice-Chancellor may either be a salaried or an honorary officer.]

(*2*) The Pro-Vice-Chancellor shall, in the absence of the Vice-Chancellor, or in the event of his being unable to perform the duties of his office, exercise all the rights and powers and discharge all the functions and duties of the Vice-Chancellor.

Rector.

13. [5](*1*) [6][If] the Senate decides to fill the office of the Rector, [7][the Rector shall] be elected by the Senate from a panel of three persons recommended by the Syndicate and shall hold office for a term of three years. He shall be a full time officer, and his [8][emoluments,] powers and duties shall [9][subject to sub-section (*2*)] be such as may be prescribed by Statutes : provided that no change is made in the terms of his appointment during the currency of the period of his appointment to his disadvantage without his consent.

[10][(*2*) The Rector shall, in the absence of the Vice-Chancellor or in the event of the Vice-Chancellor being unable to perform the duties of his office, exercise all the rights and powers and discharge all the functions and duties of the Vice-Chancellor.]

Registrar.

14. (*1*) The Registrar shall be a wholetime salaried officer and shall hold office for a term of five years and shall be eligible for reappointment. He shall be responsible for the day-to-day administration of the University under the direction of the Vice-Chancellor. He shall act as the Secretary of the Senate, of the Syndicate, of the Council of Post-graduate Studies and Research; of the Faculties, and of such other authorities of the University as may be prescribed by the Statutes.

(*2*) All contracts and assurances of property made by or in favour of the University shall be executed on behalf of the University by the Registrar.

(*3*) The Registrar shall act and appear on behalf of the University in a suit or proceeding by or against the University.

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[1] This section was inserted by Bom. 52 of 1950, s. 10.

[2] This word was substituted for the word "Whenever", *ibid*, s. 11.

[3] These words were substituted for the words "he shall", *ibid*.

[4] These words were substituted for the words "The Pro-Vice-Chancellor shall be an honorary officer", *ibid*.

[5] The original section 13 was renumbered as sub-section (*1*) of the said section, *ibid*, s. 12 (*1*).

[6] This word was substituted for the word "Whenever", *ibid*, s. 12 (*1*) (*a*).

[7] These words were substituted for the words "he shall", *ibid*.

[8] This word was inserted, *ibid*, s. 12 (*1*) (*b*).

[9] These words, brackets and figures were inserted, *ibid*, s. 12 (*1*) (*c*).

[10] This sub-section was added, *ibid*, s. 12 (*2*).

(*4*) The Registrar shall be the custodian of the records, libraries, common seal and such other properties of the University as the [1][Syndicate may] commit to his charge.

(*5*) The Registrar shall be responsible for the safe custody of all documents, titles, [2][securities and] properties entrusted to him in the ordinary course of his duties, until they are deposited in a bank.

(*6*) The Registrar shall exercise such powers and perform such duties as may be prescribed by the Statutes and Ordinances.

Other officers.

15. The powers and duties of the Curator, Librarian, and officers of the University referred to in [3][clause (vii)] of section 8 shall be such as may be prescribed by the Statutes and Ordinances.

Authorities of the University.

16. The following shall be the authorities of the University, namely :—

(*i*) The Senate,

(*ii*) The Syndicate,

(*iii*) [4]* Faculties,

(*iv*) The Council of Post-graduate Studies and Research,

(*v*) [4]* Boards of Studies, and

(*vi*) such other bodies of the University as may be declared by the Statutes to be authorities of the University.

The Senate to be the supreme authority.

17. The Senate shall be the supreme governing body and authority of the University.

The Senate.

18. [5](*1*) The Senate shall consist of the following Fellows :—

CLASS I—*Ex-Officio Fellows.*

(A) (*i*) The Chancellor,

(*ii*) The Vice-Chancellor,

(*iii*) The Ex-Vice-Chancellors of the University,

(*iv*) The Pro-Vice-Chancellor, if any,

(*v*) The Rector, if any,

(*vi*) [6][Vice-Chancellors] for the time being of the [7][universities established by law in the State of Bombay],

[8][(*vii*) All the Trustees of Sir Sayajirao Diamond Jubilee and Memorial Trust,]

(*viii*) The Registrar.

[9][(A1) (*i*) The Chief Justice of Bombay or any other judge of the High Court, Bombay, nominated by him ;

(*ii*) The Minister of Education of the Government of Bombay or any person nominated by him.]

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[1] These words were substituted for the words "Syndicate shall" by Bom. 52 of 1950, s. 13 (*a*).
[2] These words were substituted for the words "security of", *ibid.*, s. 13 (*b*).
[3] The word, brackets and figures "clause (vii)" were substituted for the word, brackets and figures "clause (viii)" by Bom. 9 of 1951, s. 3, Second Schedule.
[4] The word "The" was deleted, by Bom. 52 of 1950, s. 14.
[5] The original section 18 was renumbered as sub-section (*1*) of the said section, *ibid*, s. 15.
[6] These words were substituted for the words "The Vice-Chancellor", *ibid.*, s. 15 (*1*) (*a*).
[7] These words were substituted for the words "University of Bombay", *ibid.*
[8] This clause was substituted for the original, *ibid.*
[9] This paragraph was inserted, *ibid.*, s. 15 (*1*) (*b*).

(B) [1][(*i*) Deans of Faculties],

(*ii*) Principals of the [2]* * affiliated colleges,

(*iii*) Heads of recognised institutions,

(*iv*) [3][nominees of Government representing the following departments] :—

(1) Education,

[4][(1*a*) Technical Education,]

[5][(2) Medical or Public Health,]

(3) Public Works,

(4) Agriculture,

(5) Industry [6]* * *.

CLASS II—*Ordinary Fellows.*

[7][(A) Elected as specified below] :—

[8][(*i*) One teacher from each of the Faculties elected by the teachers of subjects comprised under each Faculty.

(*ia*) One teacher from each of the affiliated colleges and recognised institutions to be elected by the teachers in each college or institution, as the case may be.]

[9][(*ii*) Five representatives to be elected by registered graduates qualified to vote under the Statutes, such representatives being persons not engaged in the profession of teaching.]

(*iii*) [10]* * * * * * *.

(*iv*) One member to be elected from the Municipality of Baroda in accordance with [11][the Statutes].

[12][(*v*) Three representatives to be elected by the Federation of Gujarat Mills and Industries, Baroda, from amongst its members in accordance with the Statutes :

Provided that if any such member be an undivided Hindu family, trust, firm, company or body corporate, a representative nominated in this behalf by such undivided Hindu family, trust, company or body corporate shall be deemed to be a member of the Federation for the purpose of this clause.

(*vi*) One representative to be elected by the Heads of secondary schools in the University Area from amongst such Heads.

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[1] This clause was substituted for the original clause (*i*) by Bom. 8 of 1951, s. 2.
[2] The words "University and" were deleted by Bom. 52 of 1950, s. 15 (*1*) (*c*).
[3] These words were substituted for the words beginning with "Heads of" and ending with" by Government", *ibid.*
[4] This entry was inserted, *ibid.*
[5] This entry was substituted for the original, *ibid.*, s. 15 (*1*) (*c*).
[6] The words "and Commerce" were deleted, *ibid.*
[7] This portion was substituted for the words "Elected as specified below", *ibid.*, s. 15 (*2*) (*a*).
[8] These clauses were substituted for the original clause (A) (*i*), *ibid.*, s. 15 (*2*) (*b*).
[9] This clause was substituted for the original, *ibid.*, s. 15 (*2*) (*c*).
[10] Clause (*iii*) was deleted, *ibid.*, s. 15 (*2*) (*d*).
[11] These words were substituted for the words "the Ordinances made in this behalf", *ibid.*, s. 15 (*2*) (*e*).
[12] Clauses (*v*) to (*ix*) were substituted for the original clauses (*v*) and (*vi*), *ibid.*, s. 15 (*2*) (*f*).

(*vii*) One representative to be elected by secondary teachers in the University Area from amongst such teachers, such representative not being a head of a secondary school.

(*viii*) One representative to be elected by the members of the Bombay Legislative Assembly from amongst its members.

(*ix*) One representative to be elected by registered trade unions in the University Area designated by the Statutes, from amongst their members :

Provided that every person elected under clause (*i*), (*ia*), (*iv*), (*v*), (*vi*), (*vii*), (*viii*) or (*ix*) shall continue to hold the office of a Fellow only so long as he is a member of the electing body.]

[1][(B) Nominated as specified below :—

(*i*) Thirty persons to be nominated by Government.

(*ii*) (*a*) One person to be nominated by each donor giving to or for the purposes of the University a donation of money or property of the value of not less than one lakh of rupees ;

(*b*) if the donor is an individual, for the purpose of nominating, the name of each such donor shall be enrolled on the register maintained by the University ;

(*c*) if the donor is an undivided Hindu family, trust, firm, company or body corporate, for the purpose of nominating, the name of the representative nominated from time to time by each such undivided Hindu family, trust, firm, company or body corporate shall be enrolled on the register maintained by the University :

Provided that the right of making such nomination shall not extend beyond the period of twenty years from the date of the acceptance by the Syndicate of such donation and the tenure of the office of the nominee shall not exceed five years.

Explanation I.—For the purposes of clause (*i*) of paragraph (A) a teacher does not include a Principal of a college or the Head of an institution.

Explanation II.—For the purposes of clause (*ii*) of paragraph (B) the value of the property means the market value of the property on the date of acceptance of the donation by the Syndicate.]

[2][(2) Any person who is appointed as a representative of the University by virtue of his being a Fellow shall cease to be such representative on his ceasing to be a Fellow.]

19. The term of office of Ordinary Fellows shall, save as herein otherwise provided, be five years. The term of office of Ordinary Fellows.

20. If for a period of two consecutive years any Ordinary Fellow has not, for any reason whatsoever, attended a meeting of the Senate, other than a convocation, the Chancellor may declare his office to be vacant. Office of Fellow to be vacant.

[1] This paragraph and the Explanations I and II were substituted for the original paragraph (B and the Explanation, by Bom. 52 of 1950, s. 15 (2) (*g*).

[2] This sub-section was inserted by Bom. 52 of 1950, s. 15 (2) (*h*).

Meeting of the Senate.

21. (*1*) The Senate shall meet at least once a year on any date fixed by the Vice-Chancellor, to be called the annual meeting of the Senate.

(*2*) The Vice-Chancellor may call any other meeting of the Senate whenever he thinks fit, and shall, upon a requisition in writing signed by not less than fifteen Fellows, convene a special meeting of the Senate.

Powers and duties of the Senate.

22. (*1*) Subject to the provisions of this Act, the Senate shall exercise the following powers and perform the following duties :—

(*i*) to make provision for instruction, guidance in research, and practical training in such branches of learning as it may think fit for the advancement of learning, dissemination of knowledge, improvement of technical skill, and to make the necessary financial provision therefor ;

(*ii*) to make such provision for prescribing courses of studies, training or research as will enable the University Departments, University and affiliated colleges, and recognised institutions to undertake instruction, training or research ;

(*iii*) to institute professorships, readerships, lecturerships or other classes of teachers required by the University ;

(*iv*) to organise and make provision for common libraries, laboratories, museums, and all other equipment for teaching and research ;

(*v*) to establish and maintain University Departments, colleges and institutes of research and specialized studies ;

(*vi*) to institute [1]* * fellowships, travelling fellowships, scholarships and research studentships, exhibitions, medals, and prizes ;

(*vii*) to institute and confer degrees, [2]* diplomas and other academic distinctions ;

(*viii*) to confer, on the recommendation of the Syndicate, honorary degrees, [2]* or other academic distinctions ;

(*ix*) to provide and maintain hostels [3]* * * for the residence of students ;

(*x*) to make, amend or repeal Statutes ;

(*xi*) to consider, cancel or refer back, but not amend, Ordinances ;

(*xii*) to consider and pass resolutions on the annual administration report and annual accounts ;

(*xiii*) to make Statutes for regulating the procedure at meetings of the Senate, and the Syndicate, and the transaction of their business ;

(*xiv*) to consider and pass [4][resolutions] on the financial estimates prepared by the Syndicate ;

(*xv*) to elect the members of the Syndicate, and the Council of Post-graduate Studies and Research, [5][and other authorities and officers, as provided in this Act or Statutes] ;

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[1] The words "and award" were deleted by Bom. 52 of 1950, s. 16 (*a*).

[2] The word "title" was deleted, *ibid.*, s. 16 (*b*).

[3] The words "and to supervise other places" were deleted, *ibid.*, s. 16 (*c*).

[4] This word was substituted for the word "resolution" by Bom. 9 of 1951, s. 3, Second Schedule.

[5] These words were added by Bom. 52 of 1950, s. 16 (*d*).

(*xvi*) to admit educational institutions to the privileges of the University and to withdraw such privileges ;

(*xvii*) to exercise such other powers and discharge such other duties and perform such other functions as may be conferred, imposed upon it, or entrusted to it by this Act or the Statutes or Ordinances ;

(*2*) The powers and duties under clauses (*i*) to (*xii*) of sub-section (*1*) shall not be exercised except upon the recommendations made by the Syndicate.

Syndicate.

23. (*1*) The Syndicate shall be the executive authority of the University.

(*2*) The Syndicate shall consist of—

(*i*) The Vice-Chancellor, *ex-officio ;*
(*ii*) The Pro-Vice-Chancellor (if any), *ex-officio ;*
(*iii*) The Rector (if any), *ex-officio.*

[1][(*iv*) the nominee of Government appointed under section 18 representing the Education Department ;

(*v*) seven persons to be elected by the Senate in accordance with the Statutes from amongst the Fellows, such persons not being teachers ;

(*vi*) two Deans to be elected by the Senate from amongst the Deans in accordance with the Statutes ;

(*vii*) three teachers who are Fellows to be elected by the Faculties in accordance with the Statutes : provided that such teachers represent three Faculties other than the Faculties represented by the Deans elected under clause (*vi*) above.]

(*3*) The term of office of the elected members of the Syndicate, save as herein otherwise provided shall be [2][three] years.

(*4*) [3]* * * * * * * * * * * * * *

(*5*) If for any reason whatsoever the elected member remains absent from four consecutive ordinary meetings of the Syndicate he shall vacate his seat in the Syndicate.

Powers and duties of the Syndicate.

24. (*1*) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Syndicate shall exercise the following powers and perform the following duties, namely :—

(*i*) to control and administer the properties of the University and the University [4][Fund] and to keep and maintain proper accounts of the same ;

(*ii*) to enter into, vary, carry out, and cancel contracts on behalf of the University in the exercise or performance of the powers and duties assigned to it by the Act and the Statutes ;

(*iii*) to determine the form and provide for the custody and regular use of the common seal of the University ;

(*iv*) to administer the funds placed at the disposal of the University for specific purposes and to keep and maintain proper accounts of the same ;

(*v*) to frame the annual financial [5][estimates] of the University and to submit them to the Senate ;

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[1] Clauses (*iv*) to (*vii*) were substituted for the original clauses (*iv*) and (*v*), by Bom. 52 of 1950, s. 17 (*a*).
[2] This word was substituted for the word "two", *ibid*, s. 17 (*b*).
[3] Sub-section (*4*) was deleted, *ibid*, s. 17 (*c*).
[4] This word was substituted for the words "and Trust Funds", *ibid*, s. 18 (*a*).
[5] This word was substituted for the word "estimate" by Bom. 9 of 1951, s. 3, Second Schedule.

(*vi*) to erect, equip and maintain [1][colleges and research institutes], libraries, laboratories, museums, hostels, gymnasia, playgrounds, and structures needed for carrying on the work of the University :

(*vii*) to provide suitable equipment, apparatus or furniture and other appliances needed for carrying on the work of the University ;

(*viii*) to accept on behalf of the University bequests, donations and transfers of any moveable or immovable property to the University, and to receive and collect fees, grants and interests due to the University, and to make all payments on behalf of the University ;

(*ix*) to transfer any moveable or immovable property on behalf of the University ;

(*x*) to manage and regulate the finances, accounts and investments of the University ;

(*xi*) to make arrangements for the maintenance of the University Battalions in the National Cadet Corps or similar Training Corps, Students' Unions, University or Atheletic Clubs, Employment Bureau, Publication Board, and Students' Advisory Bureau for foreign studies ;

(*xii*) to recognise hostels ;

(*xiii*) to arrange for co-ordination of studies and teaching in, University and affiliated colleges, and in recognized institutions ;

(*xiv*) to arrange for and direct the inspection of affiliated colleges, and recognised institutions, and to lay down conditions for ensuring or maintaining their efficiency in teaching, training or research and [2][to issue instructions for ensuring proper conditions of employment for members of the staff of such colleges or institutions and, in case of disregard of such instructions, to recommend modification of conditions of their affiliation or recognition, or to take such other steps as it deems proper] ;

(*xv*) to call for reports, returns and other information from University and affiliated colleges and recognised institutions, and from authorities in charge of hostels ;

(*xvi*) to make Ordinances for the residence, conduct and discipline of the University students, and to make arrangements for their health and general welfare ;

[3][(xvi*a*) to surpervise hostels ;]

[4][(*xvii*) to recommend to the Senate conferment of honorary degrees and other academic distinctions upon distinguished persons, subject to the provisions of the Statutes ;

(*xviii*) to make Ordinances for and to regulate the award of fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes ;]

(*xix*) to recognise a member of the staff of an affiliated college or recognised institution as a professor, reader, lecturer or teacher of the University and withdraw such recognition ;

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[1] These words were substituted for the word " buildings " by Bom. 52 of 1950, s. 18 (*b*).

[2] These words were substituted for the words " to supervise hostels and to direct their inspection " *ibid*, s. 18 (*c*).

[3] This clause was inserted, *ibid*, s. 18 (*d*).

[4] These clauses were substituted for the original, *ibid*, s. 18 (*e*).

(*xx*) to appoint examiners and to fix their remunerations ;

(*xxi*) to appoint the Registrar and other officers of the University as provided for in this Act or by Statutes ;

(*xxii*) to appoint University professors, readers and other teachers as provided for in this Act or by Statutes, and define their duties ;

(*xxiii*) to appoint clerks, assistants, supervisors and other servants of the University, University departments, University colleges, and define their duties ;

(*xxiv*) to determine salaries, allowances and emoluments of the teachers [1][and other employees] of the University, the conditions of their service, the qualifications for employment as teachers and to prescribe leave rules ;

(*xxv*) to make Ordinances for the discipline and supervision of all teachers of the University and officers and other employees ;

[2][(*xxvi*) to hold and conduct either examinations or tests or both as prescribed by the Ordinances ;]

(*xxvii*) to make Ordinances for levying examination fees and other charges and to collect the same ;

(*xxviii*) to lay down conditions on which students shall be admitted to examinations ;

(*xxix*) to publish the results of University examinations and other tests ;

(*xxx*) to organise or arrange for the employment of students ;

(*xxxi*) to make, amend and cancel the Ordinances ;

(*xxxii*) to exercise such other powers, perform such other functions and discharge such other duties as may be conferred or imposed on the Syndicate by this Act or the Statutes ;

(*xxxiii*) to exercise all powers of the University not otherwise provided for in the Act or Statutes which may be necessary to give effect to the provisions of the Act.

(*2*) The Syndicate shall submit to the Senate every year an administration report about all matters concerning University affairs, and particularly about of all acceptances or transfers of property referred to in clause (*viii*) of sub-section (*1*).

(*3*) The Syndicate may by Ordinances appoint committees to carry out its administrative work and define their constitution, functions and tenures.

25. (*1*) The University shall include the Faculties of [3][Arts, Science, Education and Psychology, Commerce, Medicine, Technology (including Engineering), Law, Agriculture, Fine Arts, Home Science, Social Work] and such other Faculties as may be prescribed by the Statutes. **Faculties.**

(*2*) Each Faculty shall comprise such subjects as may be prescribed by the Statutes.

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[1] These words were inserted, by Bom. 52 of 1950, s. 18 (*f*).
[2] This clause was substituted for the original, *ibid*, s. 18 (*g*).
[3] This portion was substituted for the words beginning with "Arts" and ending with "Fine Arts" *ibid*, s. 19.

(*3*) Each Faculty shall consist of :—

(*i*) such Fellows as are assigned to each Faculty by the Senate ; and

(*ii*) such members of the Boards of Studies for the subjects comprised in the Faculty, as may be elected to it under the Statutes to be made by the Senate.

(*4*) The powers, and duties of the Faculties, and the conditions governing the term of offices of their members shall be as prescribed by the Statutes.

Deans of Faculties.

26. (*1*) There shall be a Dean of each Faculty, who shall be [1][appointed by the Syndicate in accordance with the Statutes].

(*2*) The Dean of each Faculty shall be responsible for the due observance of the Statutes and Ordinances relating to that Faculty.

(*3*) The Dean shall be the Chairman of the Faculty, and shall preside at its meetings.

Council of Post-graduate Studies and Research.

27. (*1*) (*i*) There shall be a Council of Post-graduate Studies and Research (hereinafter called the Council) to deal with all matters relating to [2][post-graduate] instruction, training and research in the various subjects taught in the University or in which training is given or research conducted ;

(*ii*) The Council may be divided by the Statutes into two following [3][divisions]:—

[4][(*a*) the Faculties of Arts, Education and Psychology, Commerce, Law, Fine Arts, Home Science and Social Work ; and

(*b*) the Faculties of Science, Medicine, Technology (including Engineering) and Agriculture.]

(*2*) The Council shall consist of—

(*i*) The Vice-Chancellor ;

(*ii*) The Pro-Vice-Chancellor, if any ;

(*iii*) The Rector, if any ;

(*iv*) The Dean of each Faculty ;

(*v*) [5]* * * * * * *

(*vi*) such number of the teachers of the University not exceeding five, as may be prescribed by the Statutes, elected from amongst such teachers who are themselves doing post-graduate research or training [6]* * *

[7][(*3*) The term of office of the Council shall be three years and its powers and duties shall be prescribed by the Statutes.]

Boards of Studies.

28. (*1*) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Statutes.

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[1] These words were substituted for the words beginning with "elected" and ending with "Fellows", by Bom. 52 of 1950, s. 20.

[2] These words were inserted, *ibid*, s. 21 (*a*) (*i*).

[3] This word was substituted for the word "departments", *ibid*, s. 21 (*a*) (*ii*).

[4] These sub-clauses were substituted for the original, *ibid*, s. 21 (*a*) (*iii*).

[5] Clause (*v*) was deleted, *ibid*, s. 21 (*b*).

[6] The words "but who are not persons referred to in sub-clauses (*i*) and (*ii*)" were deleted, *ibid*, s. 21(*b*).

[7] This sub-section was added, *ibid*, s. 21 (*c*).

(*2*) Each Board shall consist of—

(*i*) Heads of the University Departments in the subjects for which the Board is constituted;

(*ii*) Heads of departments in the said subjects in [1]* * * affiliated colleges and recognised institutions;

(*iii*) such class of teachers of the University in the said subjects in such numbers, and elected in such manner, as may be prescribed by the Statutes.

[2][(*iv*) such experts in the subjects concerned as may be appointed by the Syndicate in accordance with the Statutes.]

(*3*) The Chairman shall be elected by the members of the Board of Studies.

[3][(*4*) The term of office of each Board of Studies shall be three years.

(*5*) The powers, duties and functions of the Board of Studies shall be as prescribed by the Statutes].

29. (*1*) The University may establish a Board of Extra-Mural Studies, a Sports Board, a Board for Students' Welfare and a Publication Board, and such other Boards as may be prescribed by the Statutes. Other Boards.

(*2*) The constitution, powers and duties of the Boards established under sub-section (*1*) shall be as prescribed by the Ordinances.

30. The constitution, powers and duties of such other bodies as may be declared by the Statutes to be authorities of the University shall be as prescribed by the Statutes. Other authorities.

CHAPTER IV.

STATUTES AND ORDINANCES.

31. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters:— Statutes.

(*i*) the powers and duties of the officers of the University, in so far as they are not provided for by this Act;

(*ii*) the constitution, powers and duties of the authorities of the University save as provided in this Act;

(*iii*) the election of the members to the Senate, and the Syndicate, and other authorities of the University and the procedure at meeting thereof and for the transaction of their business;

(*iv*) [4][conferment of degrees], diplomas, [5]* certificates and other academic distinctions to be conferred by the University;

(*v*) the procedure for the withdrawal or cancellation of degrees, diplomas, [6]* certificates and other academic distinctions;

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[1] The words "the University or" were deleted by Bom. 52 of 1950, s. 22 (*a*) (*i*).
[2] This clause was added, *ibid*, s. 22 (*a*) (*ii*).
[3] Sub-sections (*4*) and (*5*) were added, *ibid*, s. 22 (*b*).
[4] These words were substituted for the words "the degrees", *ibid*, s. 23 (*a*) (*i*).
[5] The word "titles" was deleted, *ibid*, s. 23 (*a*) (*ii*).
[6] The word "titles" was deleted, *ibid*, s. 23 (*b*).

(*vi*) the registration of graduates and maintenance of a register of registered graduates;

(*vii*) the holding of convocation to confer degrees or diplomas;

(*viii*) the conferment of honorary degrees;

(*ix*) the acceptance [1][of grants], bequests, donations and endowments;

(*x*) the maintenance of the accounts, and the [2][method of preparation] of annual budget of the University;

(*xi*) all other matters which by this Act are to be or may be prescribed by the Statutes.

Statutes, their making, amendment, repeal and operation.

32. (*1*) The Statutes may be made by the Senate, or may be amended, repealed or added to by Statutes made by the Senate, in the manner hereinafter provided.

(*2*) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal by the Syndicate.

(*3*) The Syndicate may propose to the Senate the draft of any Statute to be passed by the Senate.

(*4*) Such draft shall be considered by the Senate at its next succeeding meeting. The Senate may approve such draft and pass the Statute or may reject it or return it to the Syndicate for reconsideration either in whole or in part together with any amendments which the Senate may suggest. After any draft so returned has been further considered by the Syndicate together with any amendments suggested by the Senate, it shall be again presented to the Senate with the report of the Syndicate thereon and the Senate may then deal with the draft in any manner it thinks fit.

(*5*) Where a Statute affects the powers or duties of any officer, authority or Board of the University—

(*i*) the Syndicate shall, before proposing the draft of such Statute, ascertain and consider the views of the officer, authority or Board concerned; and

(*ii*) the Senate, before passing any such Statute, taken into consideration of its own motion, shall ascertain and consider the views of the officer, authority or Board concerned, and the opinion of the Syndicate.

(*6*) All Statutes passed by the Senate from time to time shall be submitted to the Government and shall be liable to be cancelled by the Government within a period of one year from the date they were received by it:

Provided that before a Statute is cancelled, the Senate shall be given an opportunity to express its views.

Ordinances.

33. Subject to such conditions as may be prescribed by or under the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters:—

(*i*) Courses of studies for degrees, [3]* diplomas, and other academic distinctions;

(*ii*) Admission of students to the various courses of study and examinations;

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[1] These words were substituted for the words "and management of" by Bom. 52 of 1950, s. 23 (*c*).
[2] These words were substituted for the words "preparation and passing", *ibid*, s. 23 (*d*).
[3] The word "titles" was deleted, *ibid*, s. 24 (*a*).

(*iii*) Levy of fees in the [1][University Departments,] affiliated colleges and recognised institutions and institutions maintained by the University ;

(*iv*) Residence, conduct and discipline of students ;

(*v*) Qualifications and terms and conditions of the employment of teachers [2][in affiliated colleges and recognised institutions] ;

(*vi*) Appointments of examiners and supervisors ;

[3][(*vii*) Conduct of examinations and other tests ;]

(*viii*) Inspection of affiliated colleges, recognised institutions and hostels ;

(*ix*) Rules to be observed and enforced by constituent [4][and affiliated] colleges and recognised institutions in respect of transfer of students ;

(*x*) Number and designations of the teachers of the University, their emoluments, powers and duties, and the conditions of their service ;

(*xi*) Recognition of hostels ;

(*xii*) Recognition of teachers of the University ;

(*xiii*) All matters which by this Act or the Statutes are to be provided by Ordinances ;

(*xiv*) Generally all matters for which provision is, in the opinion of the Syndicate, necessary for the exercise of the powers conferred or for the performance of the duties imposed upon the Syndicate by this Act or the Statutes.

34. (*1*) Ordinances shall be made by the Syndicate : provided that no Ordinance covering any matter connected with the maintenance of standards of teaching and examination in the University shall be made [5][without consulting the Faculty or Faculties concerned.] Making of Ordinances.

(*2*) All Ordinances made by the Syndicate shall, except as provided by this Act, have effect from such date as it may direct, but every Ordinance so made shall be laid before the Senate for its consideration.

(*3*) The Senate shall have power by resolution to cancel or to refer back, but not to amend, any such Ordinances. The resolution shall be passed by a majority of not less than two-thirds of the members present at the [6][meeting, such majority comprising not less than thirty members of the Senate.].

[7][(*4*) The Vice-Chancellor may, on the application of not less than thirty members of the Senate, suspend the operation of any such Ordinance, until the Senate has considered it as provided in sub-section (*3*).]

35. Any authority of the University specified in clauses (*iii*) to (*iv*) of section 16 and any other Board of the University may, subject to the approval by the Syndicate, make rules, consistent with this Act, Statutes, and Ordinances providing for all matters solely concerning such authority or Board. Rules.

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[1] These words were substituted for the words " University and ", by Bom. 52 of 1950, s. 24 (*b*).
[2] These words were substituted for the words " other than the teachers of the University ", *ibid*, s. 24 (*c*).
[3] This clause was substituted for the original, *ibid*, s. 24 (*d*).
[4] These words were inserted, *ibid*, s. 24 (*c*).
[5] These words were substituted for the words beginning with " unless " and ending with " concerned ", *ibid*, s. 25 (*a*).
[6] These words were substituted for the word " meeting ", *ibid*, s. 25 (*b*).
[7] This sub-section was added, *ibid*, s. 25 (*c*).

CHAPTER V.

AFFILIATION AND RECOGNITION.

Affiliation.

36. (*1*) A college applying for affiliation to the University shall send a letter of application to the Registrar, and shall satisfy the Syndicate—

(*a*) [1]* * * * * * *

(*b*) that the college is to be under the management of a regularly constituted governing body;

(*c*) that the strength and qualifications of the teaching staff, and the conditions governing their tenure of office, are [2][in accordance with the Statutes and the Ordinances and are] such as to make due provision for the courses of instruction, teaching or training to be undertaken by the College;

(*d*) that the buildings in which the college is to be located are suitable, and that provision will be made, in conformity with the Ordinances, for the residence of students not residing with their parents or guardians, and for the supervision and welfare of students;

(*e*) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes and Ordinances for imparting instruction in that branch of science in a properly equipped laboratory or museum;

(*f*) that due provision will, as far as circumstances may permit, be made for the residence of the principal and some members of the teaching staff in or near the college, or the place provided for the residence of students;

(*g*) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and

(*h*) that the college rules fixing the fees (if any) to be paid by the students have not been so framed as to involve such competition with any existing college as would be injurious to the interests of education.

The application shall further contain an assurance that, after the college is affiliated, any transference of management and all changes in the teaching staff, and all other changes which result in any of the aforesaid requirements not being fulfilled or [3][continuing not] to be fulfilled shall be forthwith reported to the Syndicate.

(*2*) On receipt of a letter of application under sub-section (*1*) the Syndicate shall—

(*a*) direct an inquiry to be made by a competent person or persons authorised by the Syndicate in this behalf in respect of the matters referred to in sub-section (*1*) and such other matters as may be deemed necessary and relevant;

(*b*) make such further inquiry as may appear to it to be necessary; and

(*c*) record its opinion on the question whether the application should be granted or refused, either in whole or in part, stating the results of any inquiry under clauses (*a*) and (*b*).

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[1] Clause (*a*) was deleted by Bom. 52 of 1950, s. 26 (*a*).
[2] These words were inserted, *ibid*, s. 26 (*a*).
[3] These words were substituted for the word "continued", *ibid*, s. 26 (*a*).

(*3*) The Registrar shall submit the application and all proceedings, if any, of the Syndicate [1][and the Senate relating thereto to the Government] which, after such inquiry as may appear to it to be necessary, shall grant or refuse the application or any part thereof.

(*4*) Where the application or any part thereof is granted, the order of [2][Government] shall specify the courses of instruction in respect of which the college is affiliated, and, where the application or any part thereof is refused, the ground of such refusal shall be stated.

(*5*) An application under sub-section (*1*) may be withdrawn at any time before an order is made under sub-section (*3*).

Extension of affiliation.

37. Where a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed by section 36 shall, so far as may be, be followed.

Recognition of institutions of research and specialized studies.

38. (*1*) The Senate shall have the power to recognise as a recognised institution any institution of research or specialised studies other than a college.

(*2*) An institution applying for recognition under this section shall send a letter of application to the Registrar, and shall give full information in the letter of application in respect of the following matters, namely :—

(*a*) constitution and personnel of the managing body;

(*b*) subjects and courses in regard to which recognition is sought;

(*c*) accommodation, equipment and the number of students for whom provision has been or is proposed to be made;

(*d*) the strength of the staff, their qualifications and salaries and the research work done by them;

(*e*) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

(*3*) Before taking the application into consideration the Senate may call for any further information which it may deem necessary.

(*4*) If the Senate decides to take the application into consideration, it may direct an inquiry to be made by a competent person or persons authorised by it in this behalf. After considering the report made as a result of such inquiry and making such further inquiry as may appear to it to be necessary the Senate shall grant or refuse the application or any part thereof. Where the application or any part thereof is granted, the Senate shall specify the subjects and the courses of instruction in respect of which the institution is recognised. Where the application or any part thereof is refused the grounds of such refusal shall be stated.

Inspection of colleges and reports.

39. (*1*) Every affiliated college and recognized institution shall furnish such reports, returns and other information as the Syndicate may require to enable it to judge of the efficiency of the college or institution.

(*2*) The Syndicate shall cause every such college or institution to be inspected from time to time by one or more competent persons authorized by the Syndicate in this behalf.

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[1] These words were substituted for the words "relating thereto to the Senate", by Bom. 52 of 1950, s. 26 (*b*).

[2] This word was substituted for the words "the Senate", *ibid*, s. 26 (*c*).

(*3*) The Syndicate may call upon any college or institution so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (*1*) of section 36 and sub-section (*2*) of section 38.

Withdrawal of affiliation.

40. (*1*) The rights conferred on a college by affiliation may be withdrawn, in whole or in part, or modified, if the college has failed to carry out any of the provisions of sub-section (*1*) of section 36, or the college has failed to observe any of the conditions of its affiliation, or the college is conducted in a manner which is prejudicial to the interests of education.

(*2*) A motion for the withdrawal or the modification of such rights shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it, and shall state in writing the grounds on which it is made.

(*3*) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (*2*) to the Principal of the college concerned, together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Syndicate :

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(*4*) On receipt of the representation or on the expiry of the period referred to in sub-section (*3*), the Syndicate after considering the notice of motion, statement and representation, and after such inspection by any competent person or persons authorized by the Syndicate in this behalf, and such further inquiry, as may appear to it to be necessary, shall make a report to the Senate.

(*5*) On receipt of the report under sub-section (*4*) the Senate shall, after such further inquiry, if any, as may appear to it to be necessary, make such order as it deems fit :

Provided that no resolution of the Senate recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at a meeting of the Senate, such majority comprising not less than one-half of the members of the Senate.

[1][(*5A*) The Registrar shall submit the proposal and all the proceedings, if any, of the Syndicate and the Senate relating thereto to Government, which, after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it thinks fit.]

(*6*) Where the rights conferred by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification, shall be stated in the order.

Withdrawal of recognition.

41. (*1*) The rights conferred on an institution by recognition may be withdrawn or suspended for any period if the institution has failed to observe any of the conditions of its recognition or the institution is conducted in a manner which is prejudicial to the interests of education.

(*2*) A motion for such withdrawal or suspension shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

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[1] This sub-section was inserted by Bom. 52 of 1950, s. 27.

(*3*) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub section (*2*) to the head of the institution concerned, together with an intimation that any representation in writing submitted within a period specified in the intimation on behalf of the institution will be considered by the Syndicate :

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(*4*) On receipt of the representation or on the expiry of the period referred to in sub-section (*3*), the Syndicate after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorized by the Syndicate in this behalf, and after such further inquiry as may appear to it to be necessary shall make a report to the Senate if the Syndicate decides that the recognition should be withdrawn or suspended. No such report for withdrawal or suspension shall be made unless a resolution to that effect is supported by at least two-thirds of the members present at the meeting of the Syndicate.

(*5*) On receipt of the report under sub-section (*4*) the Senate shall, after such further inquiry, if any, as may appear to it to be necessary, decide whether the recognition should be withdrawn or suspended, as the case may be :

Provided that the recognition shall not be withdrawn or suspended unless a resolution of the Senate to that effect is supported by a majority of at least two-thirds of the members present at the meeting of the Senate, such majority, comprising not less than one-half of the members of the Senate.

CHAPTER VI.

Organization within the University Area and for[1]* teaching.

42. (*1*) All University colleges and colleges within the University Area specified in Schedule II, which are admitted to the privileges of the University under sub-section (*3*) of section 5, and all colleges within the said area which may thereafter be taken over by or be affiliated to the University shall be the constituent colleges of the University.

(*2*) The institutions specified in Schedule III and all institutions within the University Area which may hereafter be recognized under section 38 shall be the constituent recognized institutions of the University.

(*3*) The relations of the affiliated colleges and constituent recognized institutions with the University shall be governed by the Statutes to be made in that behalf, and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the affiliated colleges and constituent recognized institutions :—

(*i*) to lay down minimum educational qualifications for the different classes of teachers and tutorial staff employed by such colleges and institutions and the conditions of their service ;

(*ii*) to approve the appointments of the teachers made by such colleges and institutions ;

(*iii*) to require each such college and institution to contribute a prescribed quota of recognized teachers in any subject for teaching on behalf of the University ;

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[1] The word "post-graduate" was deleted by Bom. 52 of 1950, s. 28.

(*iv*) to co-ordinate and regulate the facilities provided and expenditure incurred by such colleges and institutions in regard to libraries, laboratories and other equipments for teaching and research ;

(*v*) to require such colleges and institutions, when necessary, to confine the enrolment of students to certain subjects ;

(*vi*) to levy contributions from such colleges and institutions and make grants to them ; and

(*vii*) to require satisfactory arrangements for tutorial and similar other work in such colleges and institutions and to inspect such arrangements from time to time.

Teaching.

43. (*1*) Within the University Area all instruction, teaching and training beyond the stage of the Entrance Examination shall be conducted either by the [1][constituent and affiliated colleges or] recognised institutions in such subjects as may be prescribed by the [2][Ordinances].

(*2*) [3]* * * * * *

CHAPTER VII

Enrolment and Degrees.

Qualifications for enrolment of students of University.

44. No student shall be enrolled as a student of the University unless he has passed—

(*i*) the Secondary School Certificate Examination conducted by the Secondary School Certificate Examination Board, Bombay [4][State],in such subjects [5][and with such standards of attainment] as may be prescribed by the [6][Ordinances] ; or

(*ii*) the Entrance Examination [7][if any, which may be instituted by the University with the consent of Government, and held in such subjects and in such manner as may be prescribed by the Ordinances] ; or

(*iii*) the Matriculation Examination of the University of Bombay held in or before March, 1948 ; or

(*iv*) any other examination declared to be equivalent to the examination referred to in sub-clauses (*i*) and (*iii*) preceding, and possessing such further qualifications, if any, as may be prescribed by the [8][Ordinances].

Residence of students.

45. Every student of the University shall reside in a hostel or under such conditions as may be prescribed by the Ordinances.

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[1] These words were substituted for the words "constitutent colleges or constitutent" by Bom. 52 of 1950, s. 29 (*a*).
[2] This word was substituted for the word "Statutes", *ibid*, s. 29 (*a*).
[3] Sub-section (2) was deleted, *ibid*, s. 29 (*b*).
[4] This word was substituted for the word "Province" by the Adaptation of Laws Order, 1950,
[5] These words were inserted, *ibid*, s. 30 (*a*).
[6] This word was substituted for the word "Statutes", *ibid*, s. 30 (*a*).
[7] These words were substituted for the words "of this University", *ibid*, s. 30 (*b*).
[8] This word was substituted for the word "Statutes", *ibid*, s. 30 (*c*).

Honorary degrees.

46. If not less than two-thirds of the members of the Syndicate recommend that an honorary degree, [1]* or other academic distinction be conferred on any person on the ground that he is, in their opinion, by reason of eminent position and attainments, a fit and proper person to receive such degree, [1]* or other academic distinction, and where such recommendation is supported by a majority of not less than two-thirds of the members of the Senate, present at the meeting of the Senate, the Senate may confer on such person the honorary degree, [1]* or other academic distinction so recommended and without requiring him to undergo any examination.

Removal from membership of University and withdrawal of degree or diploma.

47. (*1*) The Chancellor may, on the recommendation of the Syndicate and the Senate, supported by a majority of not less than two-thirds of members of each body present at its meeting, remove the name of any person from the register of graduates, or withdraw any diploma or degree, if he has been convicted by a court of law of any offence which, in the opinion of the Syndicate and the Senate, is a serious offence, involving moral turpitude.

(*2*) No action under this section shall be taken unless the person concerned is given an opportunity to be heard in his defence in the manner prescribed by the Statutes.

CHAPTER VIII.

COMMITTEES.

Committee of Selection for appointment of [5][professor or reader] of the University.

48. (*1*) No person shall be appointed as [2][professor or reader] of the University except on the recommendations of a Committee for selection specially constituted for the purpose.

(*2*) The members of the Committee shall be :—

(*i*) The Vice-Chancellor, *ex-officio* Chairman,

(*ii*) The Pro-Vice-Chancellor, if any,

(*iii*) The Rector, if any,

[3][(*iiia*) The Head of the department, if any,]

(*iv*) Four persons having special knowledge of the subject for which the teacher is to be appointed, to be selected by the Syndicate : provided that two of them shall not be members of the Senate, [4][or of any Faculty or teachers of the University].

(*3*) The Committee shall investigate the merits of the various candidates and shall recommend to the Syndicate the names, if any, of persons who might be considered suitable for the post arranged in the order of merit.

(*4*) If there are more than one applicant for any such post, the Committee of selection shall recommend for each such post not less than two names arranged in the order of merit : provided that it shall be open to the Committee to recommend any one of such candidates as being in their opinion the best suited for the post.

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[1] The word "title" was deleted by Bom. 52 of 1950, s. 31.

[2] These words were substituted for the word "teachers," *ibid*, s. 32 (*1*).

[3] This clause was inserted, *ibid*, s. 32 (*2*) (*a*).

[4] These words were substituted for the words "members of the Faculties, or teachers", *ibid*, s. 32 (*2*) (*b*).

[5] These words were substituted for the word "teachership" by Bom. 9 of 1951, s. 3, Second Schedule.

[1][(*5*) Out of the persons so recommended, the Syndicate may make the final selection. If the person so selected is unable to take up the appointment within a reasonable time, the Syndicate may make another selection from the other persons recommended by the Committee of Selection in the order of merit. If none of the persons recommended by the Committee of Selection is able to take up the post or found suitable by the Syndicate, the post may be filled in by the Syndicate at their discretion :

Provided that when the Syndicate makes the appointment otherwise than in the order of merit arranged by the Committee, the Syndicate shall record its reasons for such or any such appointment.

(*6*) Nothing contained in this section shall apply to a temporary appointment of a person as a professor or reader for a period not exceeding one year :

Provided that no such temporary appointment made under this sub-section shall be renewed or continued for any further period without fulfilling the requirements of this section.]

Appointment of Examiners' Committee.

49. (*1*) A Committee for each Faculty shall be formed every year for the purpose of drawing up the list for appointments to University examinerships.

(*2*) [2][The Vice-Chancellor shall be the *ex-officio* Chairman and the following shall, in the case of a Committee for each Faculty, be the members of the Committee] :—

(*i*) The Pro-Vice-Chancellor, if any,

(*ii*) The Rector, if any,

(*iii*) The Dean of the Faculty,

(*iv*) [3][Members not exceeding four] appointed by the Syndicate, from amongst the members of the Faculty.

(*3*) The Committee shall draw up a list of persons recommended for appointment as examiners from amongst persons included in the panels to be prepared by the Boards of Studies concerned. The lists so drawn up shall be submitted for approval to the Syndicate who shall make the appointment.

(*4*) If any examiner is unable to act for any reason a fresh appointment shall, subject to the confirmation by the Syndicate, be made by the Vice-Chancellor, in consultation with the Dean of the Faculty concerned.

Committee.

50. All the authorities of the University shall have powers to appoint Committees. Such Committees may include persons who are not members of the authority appointing it.

CHAPTER IX.

FINANCE.

University Fund.

51. (*1*) The University shall establish a fund to be called the University Fund.

[1] Sub-sections (*5*) and (*6*) were substituted for the original sub-section (*5*) by Bom. 52 of 1950, s. 32 (*3*).

[2] These words were substituted for the words "The members of the Committee shall be", *ibid*, s. 33 (*a*).

[3] These words were substituted for the words "Four members", by Bom. 52 of 1950, s. 33 (*b*).

(*2*) The following shall form part of, or be paid into, the University Fund :—

[1] * * * *

[2] (*a*) any contribution or grant by the Government,

[2] (*b*) the income of the University from all sources including income from fees and charges,

[2] (*c*) bequests, donations, endowments, [3] [grants and all other receipts].

(*3*) The University Fund shall be kept in the Bank of Baroda Ltd. or in any scheduled bank as defined in the Reserve Bank of India, Act, 1934, or invested in securities authorised by [4] [the Indian Trusts Act, 1882], at the discretion of the Syndicate.

II of 1934.

II of 1882.

52. [*Trust Fund.*] *Repealed by Bom. 52 of 1950, s. 35.*

53. (*1*) The annual accounts of the University shall be prepared under the direction of the Syndicate and [5] * * * shall be submitted to the Government for audit. Annual accounts, financial estimates and annual report.

(*2*) The Syndicate shall prepare, every year before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year.

(*3*) The [6] * * * financial statement shall be considered by the Senate at a meeting of the Senate held before the end of the year and the Senate may pass resolutions with reference thereto and communicate the same to the Syndicate which shall take them into consideration and finally adopt the [7] * * financial estimates.

(*4*) The annual report [8] [and accounts] of the University shall be prepared under the direction of the Syndicate and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes, and shall be considered at its annual meeting. The Senate may pass resolutions thereon and communicate the same to the Syndicate, which shall take such action thereon, as may seem necessary and appropriate to give effect to the resolutions.

CHAPTER X.

SUPPLEMENTARY PROVISIONS.

54. The University shall make adequate provisions for the benefit of its officers, teachers, and other servants in the matter of insurance, pension and provident fund or for other benefits as it may deem fit, in such manner, and subject to such conditions, as may be prescribed by the Statutes. Conditions of service.

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[1] The original clause (*a*) was deleted by Bom. 52 of 1950, s. 34 (*a*).

[2] The original clauses (*b*), (*c*) and (*d*) were renumbered as clauses (*a*), (*b*) and (*c*), *ibid*, s. 34 (*a*).

[3] These words were substituted for the words " and other grants, if any, other than the Trust Fund " *ibid*, s. 34 (*a*).

[4] These words and figures were substituted for the words and figures " the Baroda Jumma Nibandh, Samvat, 1963, " *ibid*, s. 34 (*b*).

[5] The words " the accounts " were deleted, *ibid*, s. 36 (*a*).

[6] The words " annual accounts and the " were deleted, *ibid*, s. 36 (*b*).

[7] The words " accounts and " were deleted, *ibid*, s. 36 (*b*).

[8] These words were inserted, *ibid*, s. 36 (*c*).

Tribunal of Arbitration.

55. Any dispute arising out of a contract between the University and any officer or teacher of the University, shall, on the request of the officer or teacher concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the [1][Syndicate], one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final, and no suit shall lie in any civil court in respect of the matter decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of [2][the Arbitration Act, 1940], and the provisions of that Act shall apply accordingly. X of 1940.

Election to be by single distributive vote.

56. Every election under this Act shall be by a system of single distributive vote.

Vacating of office.

57. (*1*) Any member of any authority or body of the University may resign his office by letter addressed to the Registrar.

(*2*) Any member of any authority or body of the University shall cease to be a member on his being convicted by a court of law of an offence which involves moral turpitude.

(*3*) The Government may on the recommendation of the Senate supported by at least two-thirds of the number of Fellows present at the meeting, cancel the appointment of any person appointed or elected a Fellow of the University. As soon as such order is published or notified in the *Official Gazette*, the person so appointed or elected shall cease to be a Fellow; and he shall not be eligible for reappointment or re-election until the disqualification has been removed by the Government by a notification in the *Official Gazette*.

Filling of casual vacancies.

58. When any vacancy occurs in the office of a member (other than *ex-officio* member) of any authority or other body of the University before the expiry of the term of office of such member, the vacancy shall be filled as soon as conveniently may be, by the election, nomination, or appointment, as the case may be, of a member who shall hold office so long only as the member in whose place he has been elected, nominated or appointed would have held it if the vacancy had not occurred:

[3][Provided that if the vacancy be of an elected member of the Senate and occurs within six months preceding the date on which the term of office of such member expires, the vacancy shall not be filled.]

Proceedings not to be invalidated by vacancies.

59. No act or proceedings of any authority or other body of the University shall be invalidated merely by reason of any vacancy in its membership.

Disputes as to constitution of University authority or body.

60. If any question arises regarding the interpretation of any provision of this Act or of any Statute, Ordinance, or Rule, or as to whether a person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter may be referred to the [4][Government], who shall decide the question and [5][its] decision shall be final.

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[1] This word was substituted for the word "Senate" by Bom. 52 of 1950, s. 37.

[2] These words and figures were substituted for the words and figures "the Baroda Arbitration Act, 1926", *ibid*, s. 37.

[3] This proviso was added, *ibid*, s. 38.

[4] This word was substituted for the word "Vice-Chancellor", *ibid*, s. 39.

[5] This word was substituted for the word "his", *ibid*, s. 39.

61. All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and no suit shall be instituted, against or damage claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of the Act and the Statutes, Ordinances and Rules framed thereunder. Protection of acts and orders.

CHAPTER XI.

TRANSITORY PROVISIONS.

62. Notwithstanding anything contained in this Act, or the Statutes and Ordinances made thereunder, any student of a college situate within the University Area and affiliated to the University of Bomay, who immediately before the date on which section 5 came into force was studying or was eligible for any examination of the University of Bombay shall be permitted to complete his course in preparation therefor, and the University shall provide for such period and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the courses of studies of the University of Bombay. Completion of courses of studies in colleges affiliated to the Bombay University

63. Notwithstanding anything contained in section 10, the first Vice-Chancellor shall be an honorary officer who shall be appointed by the Government as soon as practicable after the passing of this Act for a period not exceeding three years and on such terms and conditions as the Government thinks fit. Appointment of Vice-Chancellor.

64. (*1*) Notwithstanding anything contained in section 12 the first Pro-Vice-Chancellor shall be a wholetime salaried officer who shall be appointed by the Government as soon as practicable after the passing of this Act, for a period not exceeding three years and on such terms and conditions as the Government thinks fit. Appointment of Pro-Vice-Chancellor.

(*2*) The first Pro-Vice-Chancellor, shall under the control of the first Vice-Chancellor, discharge such of the [1][functions] and duties of the first Vice-Chancellor as he may direct.

65. (*1*) Notwithstanding anything contained in section 13 the first Rector shall be a wholetime salaried officer who shall be appointed by the Government as soon as practicable after the passing of this Act, for a period not exceeding three years and on such terms and conditions as the Government thinks fit. Appointment of Rector.

(*2*) The first Rector shall, under the control of the first Vice-Chancellor work as the administrative head of all constituent colleges and institutions in the Faculties of Arts, Commerce and Science to be maintained by the University.

66. Notwithstanding anything contained in section 14, the first Registrar shall be appointed by the Government as soon as practicable after the passing of this Act for a period not exceeding three years and on such terms and conditions as the Government thinks fit. Appointment of the first Registrar.

[1] This word was substituted for the word "function" by Bom. 9 of 1951, s. 3, Second Schedule.

The first Senate and Syndicate.

67. Notwithstanding anything contained in sections 18 and 23 the first Fellows of the Senate and the first members of the Syndicate shall be nominated by the Government as soon as practicable after the passing of this Act. They shall hold office [1][upto and inclusive of the 31st day of October 1951]. The casual vacancies in the office of a Fellow or member, as the case may be, may be filled up by the Government and the Fellow or member so nominated shall hold office so long only as the Fellow or member in whose place he has been nominated would have held it if the vacancy had not occurred.

Transitory powers of the first-Vice-Chancellor.

68. (*1*) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the authorities of the University other than the Senate and the Syndicate within six months after the date of his appointment or such longer period not exceeding one year as the Government may direct.

(*2*) The first Vice-Chancellor shall make provisional Statutes necessary for constituting the aforesaid authorities and regulating the procedure at their meetings and the method of election to the aforesaid authorities.

(*3*) The authorities constituted under sub-section (*1*) shall commence to exercise their functions on such date or dates as may be determined by the Vice-Chancellor.

(*4*) The first Vice-Chancellor shall, also subject to the provisions of this Act and the approval of the Chancellor, frame the first Statutes and Ordinances under this Act and submit them for confirmation to the Senate and the Syndicate respectively and shall when confirmed be published in the *Official Gazette*.

[2][**68A.** (*1*) At any time after the passing of this Act until such time as the authorities of the University shall commence to exercise their functions—

(*a*) any officer of the University may be appointed by the Vice-Chancellor with the previous sanction of the Chancellor;

(*b*) teachers of the University may be appointed by the Chancellor after considering the recommendations of the Advisory Committee, consisting of the Vice-Chancellor, the Director of Public Instruction and such other person or persons, if any, as the Chancellor thinks fit to associate with them.

(*2*) Any appointment made under sub-section (*1*) shall be for such period not exceeding three years and on such conditions as the appointing authority thinks fit:

Provided that no such appointment shall be made unless and until financial provision has been made therefor.]

Transfer of institutions and colleges and their properties to University.

69. On the coming into force of this section, the colleges, and institutions specified in Schedule II except the Medical College and in Schedule III except the Museum and the Baroda Sanskrit Mahavidyalaya, respectively, and established and conducted by the Government immediately before the coming into force of this section and all rights, powers and privileges of the said colleges and institutions and all property, moveable and immovable, thereof shall be transferred to and vest in the University and shall be applied to the objects and purposes for which the University is incorporated.

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[1] These words, letters and figures were substituted for the words beginning with the words "for a period" and ending with the words "their nomination" by Bom. 8 of 1951, s. 3.

[2] This section was added by the Baroda State (Application of Laws) Order, 1949, clause 10.

70. Notwithstanding anything contained in this Act, all teachers and other staff employed immediately before the coming into force of this section in the colleges and institutions transferred to the University under section 69 shall hold employment in the University on the same tenures and on the same terms and conditions and with same rights and privileges as they would have enjoyed if this Act had not been passed. Employment of existing teachers deemed to be made under Act.

71. If any difficulty arises as to the first constitution or re-constitution of any authority of the University after the coming into force of this Act or otherwise in first giving effect to the provisions of this Act, the Government as occasion may require, may by order do anything which appears to it necessary for the purpose of removing the difficulty. Removal by Government of difficulties at the commencement of the Act.

SCHEDULE I.

The University Area comprising the limits of the City of Baroda and territories within a radius of ten miles from the office of the University.

SCHEDULE II.

1. The Baroda Arts and Science College.
2. The Pratap Singh College of Commerce.
3. The Secondary Teachers Training College.
4. The Engineering College and Kalabhawan.
5. The Medical College.

SCHEDULE III.

1. The Oriental Institute.
2. The Technological Institute.
3. The College of Indian Music.
4. The Museum.
5. The Baroda Sanskrit Mahavidyalaya.